

**Before the
Federal Communications Commission
Washington, DC 20554**

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| In the Matter of |) | |
| |) | |
| Year 2000 Biennial Regulatory Review |) | |
| --Amendment of Part 22 of the |) | WT Docket No. 01-108 |
| Commission's Rule to Modify or |) | |
| Eliminate Outdated Rules Affecting |) | |
| the Cellular Radiotelephone Service |) | |
| and Other Commercial Mobile Radio Services |) | |
| Services | | |

**Reply Comments of Self Help for Hard of Hearing People (SHHH) To
Notice of Proposed Rulemaking Regarding the Proposed Elimination of
Analog Telephone Service**

Introduction

Self Help for Hard of Hearing People (SHHH) submits these reply comments in response to the many comments submitted in this matter by industry, individuals and organizations devoted to the needs of people with hearing loss.

We note that none of the comments present any compelling reasons for the proposed modification or elimination of the analog telephone service requirement or the mandatory analog compatibility standard. SHHH believes that the comments offered on this proposed rulemaking clearly demonstrate that the interest of the entire public would be not served by the proposed changes. The majority of the comments put forth by industry speak of potential digital accessibility for wireless telephones, without giving anything other than tentative, speculative implementation dates for

some services.¹ The poor track record of the telecommunications industry for voluntary compliance with FCC rules and deadlines forces SHHH to take a hard stance on this issue. We note that the telecommunications industry has been unable to achieve digital wireless compatible telephones for over six years, despite a temporary waiver granted by the FCC. Currently, a pending deadline on another issue before the FCC is being met with waiver requests instead of solutions. In the matter of the Commission's E911 Phase II rules which require wireless carriers to provide the precise location of wireless 911 calls to Public Safety Answering Points (PSAPs),² industry is seeking extensions or waivers of the graduated implementation deadlines imposed by the Commission.³ This pending deadline is being met with waiver requests instead of solutions.

Consumers with hearing loss want digital equipment and the full panoply of digital services that are available to hearing consumers to be compatible with hearing aids and TTYs. Until then, we must continue to use the best means available to obtain access to the telecommunications revolution, however limited those current services may be. Tentative promises of potential digital accessibility for wireless telephones, with no foreseeable implementation date, do not demonstrate any current realistic expectation of access for hard of hearing or deaf consumers to digital wireless technology. It is clear that the removal of the analog telephone service requirement or the analog mandatory compatibility standard would

¹ Comments of Cingular Wireless, LLC, July 2, 2001, p. 8. Comments of the Telecommunications Industry Association, July 2, 2001, p. 4.

² 47 C.F. R. §20.18. *See* Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, CC Docket no. 94-102, Report and Order and Further Notice of Proposed Rulemaking, 11 FCC Rcd 18676 (1996). *See also* Revision of the Commission's Rules to Ensure Compatibility with Enhanced 911 Emergency Calling Systems, DA 01-1187; released May 10, 2001.

³ CC Docket No. 94-102, *In the Matter of E911 Phase II Waiver Request filed by CORR Wireless Communications, LLC*, Released July 12, 2001.

devastate the ability of consumers with hearing loss to gain and maintain access to mobile telecommunications.

In addition, many other consumers, besides those with hearing loss, would be adversely affected by the elimination of analog telephone service or standards. The Rural Telecommunications Group notes that “the overwhelming majority of commenters supported keeping cellular analog compatibility requirements for at least five more years. Analog is the de facto roaming standard for cellular and is used for a wealth of vehicle tracking services as well as by disabled wireless equipment users.”⁴ The Rural Cellular Association states that “elimination of the rule requiring cellular carriers to provide analog services would destroy ‘seamless’ roaming.”⁵ Deere & Company notes that the many urban and rural customers of its DeereTrax™ device would be “substantially harmed if the analog compatibility standard was eliminated and carriers were allowed to stop providing AMPS analog service.”⁶

SHHH strongly opposes any proposed modification or elimination of the analog telephone service requirement or the mandatory analog compatibility standard. If the interests and access of people with hearing loss to telecommunications are to be safeguarded, the FCC must regulate the provision of accessible analog service and ensure that it continues to be offered as a means of providing access to telecommunications for all consumers, including those who are hard of hearing or deaf. When future advances in digital technology lead to the development of digital services and equipment which are compatible and accessible to all consumers, whether they have hearing loss or not, and which will function with hearing

⁴ Reply Comments of Rural Telecommunications Group, July 11, 2001, at 2.

⁵ Comments of Rural Cellular Group, July 2, 2001, at 2.

aids, TTYs, assistive listening devices, and other devices, such as comparable digital vehicle tracking systems, so that analog service is no longer necessary to provide access, then a future review may be necessary. After this time, analog services could be phased out, once full access to all digital technology is achieved for all consumers.

For all the above reasons, SHHH strongly opposes any proposed modification or elimination of the analog telephone service requirement or the mandatory analog compatibility standard, which would weaken the ability of consumers who are deaf or hard of hearing to gain and maintain access to mobile telecommunications.

We repeat our earlier request: the FCC must set a date by which all digital equipment and technology MUST be compatible with hearing aids, TTYs and other assistive listening devices.

Respectfully submitted,

A handwritten signature in cursive script that reads "Beth Wilson".

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⁶ Comments of Deere & Company, July 2, 2001, at 5.